

EXHIBIT 1

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 Superior Court of California
 County of Los Angeles

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Sherri R. Carter, Executive Officer/Clerk of Court
 By S. DREW Deputy

Attorney for Plaintiff KELLIE WILLIAMS and RICHARD JACKSON, Individually and On Behalf Of All Others Similarly Situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES

KELLIE WILLIAMS and RICHARD JACKSON, Individually And On Behalf Of All Others Similarly Situated,

Plaintiffs,

v.

TWITTER, INC., a Delaware corporation; GOOGLE, LLC, a limited liability company; ALPHABET, INC., a Delaware corporation; FACEBOOK, INC., a Delaware corporation; INSTAGRAM, INC., a Delaware corporation; AMAZON, INC. a Delaware corporation; YOU TUBE, INC., a Delaware corporation; AMERICAN FEDERATION OF TEACHERS; DNC SERVICES CORPORATION, a corporation doing business nationwide as "THE DEMOCRATIC NATIONAL COMMITTEE"; and DOES 1 through 40, inclusive,

Defendants.

Case No.: 20STCV41458

FIRST AMENDED COMPLAINT FOR STATUTORY AND GENERAL DAMAGES, DECLARATORY AND INJUNCTIVE RELIEF FOR VIOLATIONS OF THE CALIFORNIA UNRUH CIVIL RIGHTS ACT

[California Civil Code section 51 et seq.]

Complaint Filed: October 29, 2020

INTRODUCTORY STATEMENT

1. Plaintiffs' putative class action for general and statutory damages for violation of the California Unruh Act (Civil Code section 51 et seq.), declaratory and injunctive relief was filed on October 29, 2021, just days before the November 3, 2020 Presidential Election. The

1 original Complaint was filed in the middle of a world-wide pandemic (the "Pandemic") caused by
2 the Covid 19 virus that most scientists now admit originated from a laboratory in Wuhan, China.
3 The Pandemic that began in or about January 2020 led to unprecedented shut downs of the United
4 States and local economies, as well as the World's economies, as well as wide-spread "social
5 distancing," mask wearing and highly contentious political fights wherever you turned.
6

7 2. In January 2020, then President Donald J. Trump ("Trump") immediately shut down
8 any commercial air travel to or from China and Europe to stop the spread of the virus (a move
9 widely condemned at the time as "racist" by the Democratic Party and now President Joseph
10 Biden) ("Biden"). Most scientists now estimate that Trump's shut down of travel from China and
11 Europe saved over one million American lives. Trump also announced policies that included
12 shutting down certain portions of the American economy controlled by the federal government.
13 However, with the exception of immigration matters, Trump and the federal government left
14 decisions about how to best control the public health crisis to state and local governments.
15

16 3. Since everything Trump did or said pertaining to the Pandemic came in an election
17 year, his words and acts and the Democratic response turned "political." For example, although
18 Trump originally announced that the Covid 19 safeguards and protocols he was instituting
19 nationwide, with guidance from Atlanta's "Center for Disease Control" ("CDC") and its leader,
20 Stephen Fauci, M.D. ("Dr. Fauci"), would last for about two weeks to "help flatten the [Bell]
21 curve" and avoid overrunning our hospitals with Covid 19 related patients whom the experts
22 warned would jeopardize the Country's available ICUs and respirators, most Democratic
23 governors seized on the opportunity to enforce draconian "lock downs" which lasted well over a
24 year in most of those states and continue to this day. Democrats further demanded that in light of
25 the "Pandemic," voting mechanisms, laws and safeguards that had been in place for years be
26 aborted, changed, abrogated or suspended and replaced with alternatives that clearly favored the
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1 Democratic Party, including “no ID needed” polling stations, direct mail in voting, post-election
2 voting, 24 hour voting, unconstitutional “drop boxes” controlled by partisans, as well as other
3 questionable and irregular actions that many believe and contend evidence rampant fraud, wide-
4 spread cheating and criminal conduct that occurred in many of the “swing states” with respect to
5 the November 3, 2020 election – fraud that is still being investigated to this day by the
6 legislatures of a number of key “swing states,” including Arizona and Michigan. Curiously, in a
7 remarkable attempt at “prior restraint,” the Biden Administration’s Department of Justice
8 (“DOJ”) has demanded that the investigations cease and desist and has threatened legal action and
9 serious penalties if these investigations continue.
10

11 4. While the social media internet monopoly defendants identified in the caption of this
12 First Amended Complaint (“FAC”) and the Biden Administration’s DOJ have not yet succeeded
13 in illegally suppressing, stifling, censoring and in the DOJ’s case, stonewalling, delaying or
14 otherwise interfering with the Constitutional right of state legislatures to investigate election fraud
15 and irregularities, Plaintiffs and the public at large will be irreparably harmed if the DOJ and
16 defendants herein are allowed to continue their illegal censorship and suppression activities and
17 efforts on behalf of the current government and DNC.
18

19 5. Accordingly, in addition to statutory and general damages, Plaintiffs are also seeking
20 an injunction and declaratory relief to permanently enjoin the ongoing illegal activities by
21 defendants and in particular, to enjoin such private parties – who were at all times herein
22 mentioned proxies, agents and ostensible agents of the Democratic Party and are currently
23 proxies, agents and ostensible agents of the Biden Administration, which in fact directs and
24 controls much of the defendants’ illegal and discriminatory conduct – from using and continuing
25 to use their monopolistic power to promulgate patently false narratives that are by design and
26 intend stated to suppress true facts and different opinions and views advocated by conservative or
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1 right-leaning politicians, voters, commentators and pundits. Plaintiffs also seek to restrain and
2 enjoin defendants from acting on behalf of the Democratic National Committee (“DNC”) and
3 Biden Administration whenever it silences another conservative voice from expressing his or her
4 views on the internet by “delisting” his or her Twitter feeds, denying access to defendants’
5 exclusive internet platforms or otherwise silencing all critics of the Biden Administration.
6

7 6. Plaintiffs further seek to enjoin the Biden Administration’s continued use of
8 private party the AFT as its proxy and policy maker, and in particular, enjoining the AFT from
9 suppressing any opinions, factual presentations or views about the reopening of public schools
10 from parents and others which are different than those advocated by the AFT and its President,
11 Randi Weingarten (“Weingarten”) - and in particular, enjoin and restrain her from attending and
12 participating in any future policy meetings with the CDC to help shape government policy with
13 respect to the reopening of public schools and the contentious issue of requiring students and
14 teachers (including kindergarteners) to wear less than effective paper masks covering their noses
15 and mouths, inside or outside, 24/7 as a condition to public schools reopening. Ignoring science
16 and the CDC’s own guidelines, not to mention the views and opinions of most parents and
17 conservatives, the Biden Administration has decided to implement the AFT’s draconian,
18 unnecessary 24/7 mask wearing as a condition of reopening public schools, again by pandering to
19 Weingarten and the AFT and delegating its duty to formulate and dictate public policy to the
20 AFT, pandering to the wishes of the AFT’s President. Weingarten also announced that she and
21 the AFT would use public funds to combat conservatives who simply sought the restoration of
22 traditional teaching agendas in public schools as opposed to “Critical Race Theory” (“CRT”) – a
23 radical liberal postulate that presents a warped, biased and distorted view of American History by
24 denying that the birth of our nation was 1776, attempting instead to “shame” *all* Americans as a
25 result of the alleged sins of our forefathers that occurred well over 100 years ago.
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1 7. In a like manner, the FBI met with Defendant Facebook's President, Mark
2 Zuckerberg, and other high level Facebook officers and directed them to use Facebook's
3 incredible power and platform to reach millions of Facebook users to silence the anticipated
4 "disinformation campaign" that they were expecting right leaning and conservative users of
5 Facebook to communicate to other Facebook users about what could be found on a recently
6 discovered laptop that Biden's son, Hunter Biden, left at a pawn shop. Rather than searching for
7 the truth or conducting a legitimate investigation, FBI agents and other members of the "Deep
8 State" directed and instructed Facebook to hide, conceal, and otherwise obfuscate the truth by
9 manipulating its platform in a manner that would deny access to anyone who wanted to learn the
10 truth about what was in Hunter Biden's laptop to another day, since anyone who tried to discuss it
11 openly and honestly on Facebook's platform – like Trump – was de-platformed!

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14 8. The adverse discriminatory impact and effect of defendants' delisting of its users
15 who refused to follow the so-called "correct" party line is manifest censorship and a change from
16 a republican form of government to one-party rule. This Court should not and cannot
17 countenance such abuses, as they violate the First Amendment of the U.S. Constitution and the
18 California Unruh Act.

19
20 9. The AFT and other private institutions that follow of the Democratic Party's
21 agenda, including the teaching of "Critical Race Theory" to public school students in lieu of more
22 traditional "reading, writing and arithmetic," is but another form of illegal censorship and
23 discrimination because it quashes any opposing views and leads to public distrust. The Court
24 should restrain and enjoin the use of any further public funds - such as the AFT's use of public
25 funds to ensure and control our children's public school curriculum, as a means to stifle, suppress
26 and censor any views or opinions by conservative-leaning commentators or public figures that are
27 not lock step with the DNC and now Biden Administration's policies. Simply stated, the private
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1 party defendants whom the DNC enlisted in early 2020 and have continued to use as “proxies” or
2 “conduits” for the Democratic Party, aided and abetted by the mainstream media, have created the
3 equivalent of a one-party system and most importantly, the ability to seek any governmental
4 support they may need to quash, suppress and stifle any and all opposition. Such discriminatory
5 conduct violates the California Unruh Act (Civil Code section 51 et seq.).
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7 10. Since the filing of the original Complaint, history now demonstrates that Covid 19 and
8 the Pandemic turned out to be a “windfall” for the Democratic Party, the DNC, Biden and the
9 Biden Administration, not to mention “Blue State” governors and local politicians with high
10 political aspirations of their own. Many believe that the results of the November 3, 2020 election
11 would be different but for the Pandemic, outrageous fear mongering by Democratic hopefuls and
12 their proxies, like the defendants herein, and the introduction into the electorate of new and
13 different voting rules illegally created by so-called “Blue State” legislatures that allowed for
14 illegal, ad hoc and ex post facto laws and rules to extend voting well beyond the date of the
15 November 3, 2020 election. Such abuses included “mail in” voting, “no ID” voting, and the use
16 of illegal drop boxes to solicit hundreds of alleged votes at a time. Many believe that unilaterally
17 changing the voting rules in middle of the election process, as alleged herein, clearly favored the
18 Democratic Party and Biden and further contend that but for these illegal and discriminatory
19 actions by defendants, Biden would not be President of the United States today. Regardless of
20 whether the election result would been different, however, defendants herein violated the Unruh
21 Act in multiple particulars, as alleged herein below.
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24 11. A number of illegal activities and events that took place in the weeks leading up to the
25 November 3, 2020 election perpetrated by Twitter, Facebook and other social media giants have
26 just now come to light – facts that show the unprecedented reach and power that these internet
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1 monopolies and social media giants are able to exert over the lives of ordinary United States
2 citizens to influence, change and manipulate voting patterns and opinions.

3 12. At all times herein mentioned, Biden and his operatives knew they could not as agents
4 of the federal government legally censor or suppress the opposition party. As a result, the DNC,
5 Biden and his operatives and handlers, including the AFT and other teacher's unions, enlisted
6 Twitter, Facebook and the other monopolistic internet social media giants to serve and act as
7 proxies and actual and ostensible agents of the DNC and its leaders, including Biden, the titular
8 "head" of the Democratic Party" who has controlled all aspects of the federal government since
9 January 20, 2021, and engaged in unlawful and insidious discrimination and censorship by
10 knocking off of its "platform" under the guise of "misinformation" and "disinformation" any
11 person with a view, opinion, and more importantly, true facts, opinions and policies that were and
12 are different than the facts, policies and opinions outlined in the DNC's Platform and/or facts
13 promulgated by Biden and his "handlers" at the White House.

16 **PARTIES AND FACTS COMMON TO ALL CAUSES OF ACTION**

17 13. At all times herein mentioned, Plaintiff KELLI WILLIAMS ("Williams") was and
18 is an individual residing in Los Angeles County, California.

19 14. At all times herein mentioned, Plaintiff RICHARD JACKSON ("Jackson") was
20 and is an individual residing in Los Angeles County, California.

22 15. Williams and Barry are suing Defendants herein not only in their individual
23 capacities, but also as members of the "Class" of all other "similarly situated" Plaintiffs, as more
24 particularly described and defined under the heading, "Class Allegations" herein below.
25 (Williams, Barry and the subject "Class" are collectively referred to herein as "Plaintiffs").

26 16. At all times herein mentioned, Defendant TWITTER, INC. ("Twitter") was and is
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1 a Delaware corporation qualified to do business and doing business in the State of California,
2 County of Los Angeles.

3 17. At all times herein mentioned, Defendant FACEBOOK, LLC ("Facebook") was and is
4 a limited liability company qualified to do business and doing business in the State of California,
5 County of Los Angeles.

6 18. At all times herein mentioned, Defendant ALPHABET, INC. ("Alphabet") was and is
7 a Delaware corporation qualified to do business and doing business in the State of California,
8 County of Los Angeles, and the corporate parent of Defendant FACEBOOK.

9 19. At all times herein mentioned, Defendant INSTAGRAM, INC. ("Instagram") was and
10 is a corporation qualified to do business and doing business in the State of California, County of
11 Los Angeles.

12 20. At all times herein mentioned, Defendant AMAZON, INC. ("Amazon") was and
13 is a corporation qualified to do business and doing business in the State of California, County of
14 Los Angeles.

15 21. At all times herein mentioned, Defendant YOU TUBE, INC. ("You Tube") was and
16 is a corporation qualified to do business and doing business in the State of California, County of
17 Los Angeles.

18 22. At all times herein mentioned, Defendant AMERICAN FEDERATION OF
19 TEACHERS ("AFT") was and is the second largest teacher's union in the United States.
20 However, beginning in 2020, under the direction, control and management of its President, Randi
21 Weingarten, the AFT contributed over \$2 million to the Democratic Party in 2020 alone for the
22 purpose of gaining access to meetings with the leaders of the CDC to help formulate, direct and
23 dictate the CDC's and United States' public health policy with respect to how, when and whether
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1 public schools would ever reopen again for teaching kids one on one in light of the ongoing
2 Pandemic.

3 23. At all times herein mentioned, Defendant DNC SERVICES CORPORATION, doing
4 business as "THE DEMOCRATIC NATIONAL COMMITTEE" (hereinafter the "DNC") was
5 and is a corporation qualified to do business and doing business in the State of California County
6 of Los Angeles.
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8 24. The DNC also coordinates strategy to support Democratic Party candidates throughout
9 the United States for local, state, and national office. Toward that end, the DNC organizes the
10 Democratic National Convention that is held every four years to nominate a candidate for
11 President of the United States and to formulate a party platform.
12

13 25. In 2020, after a tortuous nomination process that avoided personal campaigning in
14 favor of remaining at home in his basement den, the DNC nominated former Senator and Barak
15 Obama's Vice President Joseph Biden ("Biden") as its Democratic candidate for President to run
16 against incumbent President Donald J. Trump in the November 2020 presidential election. While
17 the DNC provides support for party candidates, it does not have direct authority over elected
18 officials. However, the DNC does conduct substantial fundraising to support its activities and in
19 2020 alone, after Biden was nominated, the DNC reported it had raised more than \$250 million in
20 fundraising to support the Democratic Party's candidate for president against the incumbent,
21 President Trump. Having received funds by August 2020 that more than doubled the funds that
22 the DNC raised for the entirety of its 2016 presidential campaign, the DNC was motivated by
23 money, power and greed to enter into a fraudulent, illegal and unlawful scheme, conspiracy and
24 agreement with defendants Twitter, Facebook, Google, Alphabet, YouTube (sometimes
25 collectively referred to herein as the "Democratic Censorship Team") and the AFT to capitalize
26 on the fear and anxiety created by the Covid-19 virus that the CDC and United States government
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1 and other renowned scientists, including Stephen Fauci, M.D. ("Dr. Fauci"), the head of the
 2 Center for Disease Control ("CDC"), knew had emanated from a laboratory in Wuhan, China as a
 3 result of failed "gain of function" experiments authorized by Dr. Fauci and funded in part by the
 4 United States and CDC. The release of the deadly Covid 19 virus from a laboratory in China,
 5 coupled with China's deliberate concealment of the existence, cause and highly infectious nature
 6 of this deadly new, man-made virus, which would soon cripple the World economies and claim
 7 the lives of millions of victims world-wide.

9 26. Pursuant to their fraudulent, illegal and unlawful scheme, the Democratic Censorship
 10 Team, aided and abetted by Biden Administration operatives after January 20, 2021, commenced
 11 a vigorous and calculated campaign to censor and suppress accurate and truthful information
 12 promulgated by any and all conservative-leaning authors, including President Trump, in violation
 13 of the First Amendment and California Unruh Act, as alleged hereinbelow.

15 27. Pursuant to their fraudulent, illegal and unlawful scheme, the Democratic
 16 Censorship Team, aided and abetted by the DNC, Biden Administration operatives after January
 17 20, 2021 and the AFT, illegally and unlawfully used their monopolistic power to control social
 18 media and the internet to skew and distort the public narrative by "de-platforming" any individual
 19 with facts, political opinions or views that were inconsistent with the Democratic Party's 2020
 20 Platform. Defendants also suppressed and stifled opposing views by promulgating patently false
 21 and misleading information, aided and abetted by Biden Administration operatives. For example,
 22 in addition to "de-platforming" opposing views to ensure that only the Democratic Party's
 23 Platform and messaging was published on the internet, the Democratic Censorship Team asserted
 24 (and continues to assert) that:

- 26 ■ There were no "riots" or property damage that occurred during the Summer of
- 27 2020 that were instigated by democratic political organizations known as "Antifa"
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and “Black Lives Matter” in democratic controlled cities such as Minneapolis and Portland and New York;- just “peaceful protests”;

■ There was and is no “crisis” at the wide-open Mexican-United States border caused by the Biden Administration’s open border policy, which in June 2021 alone saw 190,000 immigrants enter the United States illegally, at least 10 percent of whom have Covid 19 at the time they are released;

■ Several credible, low-cost therapeutic drugs and medications that have been available for years that could actually lessen Covid 19 symptoms and cure the virus itself. In fact, defendants called such miracle drugs “disinformation” and delisted any mention of them. Defendants’ censorship and suppression of such critically useful information and the FDA’s subsequent direction to pharmacies and doctors that they were not to sell or use such drugs as a result thereof undoubtedly killed thousands of Americans unnecessarily;

■ President Trump and his lawyers provided “no evidence” of election fraud as opposed to truthfully stating that the only Democratic judges willing to hear the matter ruled that the litigants had “no standing.” Accordingly, the fact of the matter is that such judges, by design and proclamation, heard no evidence at all because no evidence was allowed to be presented. As the Arizona legislative investigation has revealed, there was rampant fraud in Arizona’s election. Only time will tell whether the other critical “Swing States” also experienced fraud;

■ Anyone who voted for Trump is a “White Supremist,” guilty of “Sedition” and thus subject to being investigated by Biden’s DOJ; and

■ Masks were unnecessary once you were vaccinated twice.

28. The Censorship Team and other co-conspirators, including the AFT, accomplishes

1 their fraudulent and illegal censorship and suppression scheme by “de-platforming” or removing
2 from their respective internet sites any possibility of posting messages on social media controlled
3 by the monopolistic Censorship Team. The duration of the exile depends on the “seriousness” of
4 the alleged “disinformation” or “misinformation” allegedly communicated – always looked at
5 through the prism of what message the Democratic Party are seeking to convey, effectively
6 silencing any political opposition to the Democratic Party Platform, while hiding behind alleged
7 immunities given to them years ago by a Congress that never intended such a tortured result.

9 29. Pursuant to and in furtherance of this fraudulent and unlawful scheme, Defendant
10 Twitter -- aided and abetted by Defendant DNC and its political operatives, with the knowledge
11 and consent of the DNC’s “sham” nominee, former vice-president Biden -- intentionally and
12 deliberately discriminated against Plaintiffs and the Class in violation of the California Unruh Act
13 (Civil Code section 51) by arbitrarily suppressing, preventing and denying Plaintiffs access to any
14 legitimate, genuine, newsworthy stories, articles or reports that favored President Trump, or
15 featured or spoke about President Trump’s undeniable accomplishments that occurred and
16 continue to occur during his first term in office, or alternatively, report any stories or articles that
17 were and are detrimental or potentially detrimental to the Democratic nominee (Biden), such as
18 the recent New York Post article that was unfavorable to Biden and his son, Hunter Biden.
19 Simply stated, defendants, and each of them, deliberately and intentionally took away any
20 semblance of a level playing field by creating a situation far worse than any stunt that “Pravda”
21 pulled during the Soviet Union’s rise and fall.

24 30. At all times herein mentioned defendants, and each of them, caused irreparable harm
25 to the public at large because the unlevel playing field created by Defendants’ discriminatory
26 conduct takes away the public’s freedom of choice, not to mention the stigma caused by
27 Defendants’ discriminatory acts and being given one side of the story. In either case, the deck has
28

1 been “stacked” against President Trump, Biden’s chief political rival, days before what all pundits
 2 ever concluded will be the most important election of our time by virtue of the discriminatory acts
 3 taken by defendants, and each of them.

4 DOE AND AGENCY ALLEGATIONS

5
 6 31. The true names and capacities of the defendants named herein as “Doe 1 through 40,
 7 inclusive,” are presently unknown to Plaintiffs. Plaintiffs will amend this FAC to insert their true
 8 identities as soon as they are ascertained.

9 32. At all times herein mentioned, each defendant was the agent of the other defendants
 10 and in doing the wrongful acts complained of herein was acting within the scope of such agency.

11 CLASS ACTION ALLEGATIONS

12
 13 33. Plaintiffs brings this action on its own behalf and on behalf of all persons
 14 similarly situated (the “Putative Class”). Such a representation is necessary and appropriate in
 15 order to prevent any further disparate and discriminatory treatment and any future widespread
 16 wrongdoing by Defendants, remedy Defendants’ past and ongoing pattern and practice of
 17 unlawful, unfair and discriminatory practices that have caused, and will continue to cause,
 18 economic injury in fact to Plaintiffs and the Putative Class – registered Republicans in the State
 19 of California - and further result in actual and irreparable harm to them. Such a representation is
 20 also necessary and appropriate to obtain an effective statewide Court order that will be binding on
 21 all Defendants and Plaintiffs.
 22

23 34. This action is brought and may be properly maintained as a class action pursuant
 24 to the provisions of Code of Civil Procedure section 382. Plaintiffs bring this action on behalf of
 25 themselves and all members of the Putative Class, defined as follows:

26 *Any and all registered Republicans in the State of California who were or still*
 27 *are adversely impacted or affected by, or suffer irreparable harm as a direct and*
 28

proximate result of, Defendants' intentional suppression of stories, articles or reports, and purposeful denial of Plaintiffs' access to stories, articles and reports, that favor President Trump or cast him in a favorable light, and/or any stories, articles and reports about President Trump that are detrimental to the Democratic Party or DNC, and/or any stories, articles and reports about Democratic candidates, including Biden, the DNC's presidential nominee, that are detrimental to such candidates.

35. The members of the class are so numerous that joinder of all members is impracticable.

36. While the exact number of class members is unknown to Plaintiffs at this time and can only be ascertained through discovery, Plaintiffs are informed and believe that there are at least over 4 million members of the proposed class.

35. There is a well-defined community of interest among the members of the proposed class.

36. Plaintiffs, like all other members of the class, were and are treated by Defendants and each of them, disparately, in a discriminatory fashion, in violation of the California Unruh Act (Civil Code section 51). Moreover, the factual bases of Defendants' actions and misconduct, as alleged herein, are common to all members of the class and represent a common practice of wrongful conduct resulting in disparate and discriminatory treatment and harm to all members of the proposed class.

37. There are numerous questions of law and fact common to Plaintiffs and the members of the class and those questions predominate over any questions that may affect individual members of the class, including whether Defendants, and each of them, entered into a

1 secret, unlawful and illegal scheme to deny the class and its members them access to genuine,
2 newsworthy, stories that favored candidate other than the candidate of the Democratic Party.

3 38. Plaintiffs' claims are typical to the claims of the other members of the class. P

4 39. All the members of the class have sustained economic damage arising out of the
5 common course of conduct alleged herein, as well as irreparable harm that can only be remedied
6 by injunctive relief.
7

8 40. Plaintiffs will fairly and adequately represent and protect the interests of the class.

9 41. Plaintiffs have retained counsel with substantial experience in prosecuting class
10 actions, discriminatory practices and related claims. Plaintiffs and their counsel are committed to
11 vigorously prosecuting this action on behalf of the class and have the financial resources
12 necessary to do so. Neither Plaintiffs nor its counsel has any interest adverse to those of the class.
13

14 42. A class action is superior to other available methods for the fair and efficient
15 Adjudication of this controversy since individual joinder of all members of the class is
16 impracticable. Further, individualized litigation would present the potential for inconsistent or
17 contradictory judgments and would magnify the delay and expense to all parties and the court
18 system in multiple trials of identical factual issues. By contrast, the conduct of this action as a
19 class action presents fewer management difficulties, conserves the resources of the parties and the
20 court system and protects the rights of each class member.
21

22 **FIRST CAUSE OF ACTION FOR VIOLATION OF THE CALIFORNIA**

23 **UNRUH ACT (CIVIL CODE SECTION 51) AGAINST DEFENDANTS**

24 **AND DOES 1 THROUGH 40, INCLUSIVE**

25 43. The California Unruh Act (Civil Code section 51) guarantees every person in
26 California full and equal" access to "all business establishments of every kind whatsoever" and
27 imposes a duty on businesses establishments to serve all persons without arbitrary discrimination.
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1 Violations of the act may be redressed by private plaintiffs, like the Plaintiffs herein, who are
2 aggrieved by the alleged unlawful conduct. Remedies include injunctive relief, damages and
3 attorney's fees and costs (Civil Code section 52(a) – (c)).
4

5 44. At all times herein mentioned, Defendants' discriminatory practices and in particular,
6 Defendant's unlawful and illegal scheme to deprive Plaintiffs and other similarly situated persons
7 with access to opposing political views other than the political views of the Democratic Party
8 aggrieved each and all of the plaintiffs and the Class, in an amount to be shown at the time of trial
9 in accordance with proof, including statutory damages in the amount of \$4000 for each violation,
10 and actual damages. Plaintiffs are also entitled to injunctive relief to enjoin and restrain
11 defendants, and each of them, from continuing the discriminatory practice of presenting only one
12 political party's opinions, positions and views as opposed to a public forum for open and free
13 expression under the First Amendment to avoid and prevent the continued detriment and
14 irreparable harm to Plaintiffs – law abiding members of a rival political party whose only fault is
15 that such members disagree with the opinions espoused by Defendants.
16

17 **SECOND CAUSE OF ACTION FOR DECLARATORY RELIEF**

18 45. Plaintiffs incorporate each and all the allegations set forth in paragraphs 1 through 21
19 of this Complaint as though fully set forth at length herein.
20

21 46. An actual controversy has arisen and now exists between Plaintiffs and Defendants in
22 that Plaintiffs contend that Defendants committed discriminatory practices in violation of the
23 California Unruh Act (Civil Code section 51) by Defendants' intentional suppression of reports,
24 stories and articles, as well as Plaintiffs' and the putative class's access to such reports, stories
25 and articles, whereas Defendants dispute such contentions.
26

27 47. A judicial declaration is necessary and appropriate this time so that the court may
28

1 determine the respective rights and obligations of the parties, and enter judgment in favor of
2 Plaintiffs.

3 WHEREFORE, Plaintiffs pray for judgment as follows:

- 4 1. For statutory damages in the amount of \$4,000 per day for each violation of the Unruh
5 Act;
- 6 2. For actual damages;
- 7 3. For a judicial declaration determining the legal and equitable rights and obligations of
8 the parties;
- 9 4. For a temporary restraining order, preliminary injunction and permanent injunction
10 enjoining Defendants and each of them, from continuing to violate the Unruh Act, or otherwise
11 cause irreparable harm to Plaintiffs herein;
- 12 5. For reasonable attorney's fees and costs; and
- 13 6. For such other and further relief as the Court may deem just and proper.

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17 DATED: August 5, 2021

LAW OFFICES OF MICHAEL E. REZNICK
A Professional Corporation

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19
20 By: /s/Michael E. Reznick
21 Michael E. Reznick
22 Attorney for Plaintiffs KELLI WILLIAMS and
23 RICHARD JACKSON, individually and on behalf
24 of all others similarly situated
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